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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-------------------|
| Application Number | 09/217,117 |
| Filing Date | December 21, 1998 |
| First Named Inventor | Yasutomo NISHINA |
| Group Art Unit | 2173 |
| Examiner Name | Tadesse Hailu |
| Attorney Docket Number | 450100-4033.1 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

Submission required under CFR 1.114.

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AUG 18 2003

Technology Center 2100

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on July 14, 2003
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other _____

Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.
- b. ☒ Checks in the amount of \$750.00 and \$300.00 are enclosed for the following: : RCE fee and two-month extension-of-time fee
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Petition for two-month extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------|-----------------------------------|-----------------|
| Name (Print/Type) | Dennis M. Smid | Registration No. (Attorney/Agent) | 34,930 |
| Signature | | Date | August 13, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|--|-----------------|------|-----------------|
| Name (Print/Type) | Barnet Shindman | | |
| Signature | | Date | August 13, 2003 |
| "Express Mail" mailing label number: EV196820002US | | | |